Jim Crow Car Laws - 1930

D.C.

## BUS SEGREGATION

A party of Washington boys returning from the swimming meet in New York City last week were forced to give up the seats on the bus on which they were traveling and made to sit in the rear. This is a situation that should be met and met promptly. Washington World

The young men were not seated according to the number of their tickets, but were deliberately placed in the rear. The bus on which they were traveling was operated by the People's Rapid Transit Company. This company is engaged in interstate commerce just as much as the Pennsylvania Railroad and has no more right to segregate is passengers on account of color than have the railroads.

T-3-3-30 Washington, D.C.

It has already been indicated that the proper suits will be filed against the company. If necessary, these suits should be carried to the highest court of the land. There is already too much segregation in America. Every attempt to extend it should be vigorously fought. Eternal vigilance is the price of freedom.

Jim Crow Car Laws- 1930

Florida.

# Atty. McGill Wins $6,500 Award From Florida R. R.

By PAGE M. BEVERLY

JACKSONVILLE, Fla., Feb. 28.—After having won what is said to be the largest amount of money ever awarded the client of a Race lawyer, on behalf of a boy whose foot was severed in a railway accident, Attorney Simuel D. McGill was not discouraged by the court setting it aside as excessive. Defender

He at once tried the case again and his client was awarded $6,500, the first verdict having been for $15,000.

The case, which attracted much attention here, was begun by Attorney McGill when the East Coast Railroad company offered Alphonso Urola, 12 years old, only $400 for the loss of his foot after one of their trains had injured the child. 5-1-26

Mrs. Mabel Urola, mother of the boy, refused the offer and appealed to Attorney, McGill for help. The suit followed, and the fact that Attorney McGill was abel to best the powerful law machinery of the wealthy railway and to win such a verdict in a southern court in a case in which Race interests were opposed by those of white, is considered one of the most striking bits of legal brilliance ever seen here. Chicago Def.

Attorney McGill is a native of this city and enjoys one of the largest law practices in the South. He is the brother of Attorney Nathan K. McGill, general counselor of The Chicago Defender and assistant attorney general of the state of Illinois.

Jim Crow Car Laws-1930

General

## Jim Crow Goes Abroad

THE war department has arranged to send the Gold Star mothers on a pilgrimage to the cemeteries of France where die their sons who gave their lives "for world democracy" in the great war. There are enrolled for the pilgrimage 10,600 white and 900 Negro women to make the proposed pilgrimage. The government, press reports say, is planning to transport the mothers, white and black, on separate vessels. They are to travel separately in obeisance to the great American god, "jim crowism." It is not surprising that our government should embark upon this plan. It is regretted that such a pilgrimage should have to be made under such conditions—especially to a foreign country which would make no such distinction in honoring the mothers of its dead; and it is hoped that our Secretary of War, the Honorable Patrick J. Hurley, will modify the plan, if the press reports of it are correct. The Gold Star mothers could travel on the same ships as one great group of hero-mothers, without doing violence to themselves, without upsetting any American laws or customs, and without establishing any precedents. They do that in America.

The inconsistency and incongruity of the arrangement to provide separate travelling accommodations for the two race groups of Gold Star mothers, and the introduction of a little comic drama into the plot lie in the fact that they must individually and collectively meet in the cemeteries in France and do their mourning together, where their sons—black and white—are buried together. It would seem that the women could share in a common sorrow and a common patriotism for a common country on a foreign soil without being attended by the spectre of a jim crow democracy.

NEW YORK
GRAPHIC
JUN 14 1930

# 'Jim Crow' Laws Govern Travelers in Southland

**Atlanta**, June 14.—Sometimes it merely an invisible line. In other instances, it takes the form of a sign, "Colored passengers seat from rear." On the railroads it consists of a separate coach. But throughout the Southern states, where white and Negro travelers are segregated on trains, buses and street cars, the force of the "Jim Crow" laws are felt and obeyed.

The term, "Jim Crow," is applied to all laws for race segregation on public carriers, but each state has its own method of handling the matter.

The law is observed almost unconsciously south of the Mason-Dixon line by each race. No regulations govern the travel of Negroes on southern Pullman cars, officials of the company say. "There is no demand for Pullmans on the part of southern Negroes," they add.

The officials are also nonsommittal on the subject of Negroes traveling into the South after purchasing Pullman tickets in other sections, saying, "We abide by state laws, and if Negroes are forbidden to ride in Pullmans with white people in certain states we accept it."

Numerous test cases have been made of the laws. The United States Supreme Court held in a Kentucky hearing that such a law was not "an unconstitutional burden" on interstate commerce. The matter has largely been left to the Interstate Commerce Commission.

Bus travel, a new mode of conveyance, brought the problem into only a dim spotlight. "We comply with state laws," officers of bus companies say. "Although we do not seek colored patronage in the South, we carry people of both races." Colored passengers are expected to sit at the rear of all buses. In case of scarcity of room, white passengers are taken.

Macon, Ga. Telegraph
Sunday, May 4, 1930

# SOLON ATTACKED BY NEGRO EDITOR

## Britten Refused to Occupy Berth Under One Davis Had

## WAS EN ROUTE TO ATLANTA

MACON TELEGRAPH BUREAU.
105 Kimball House.

ATLANTA, May 3.—Ben J. Davis, Negro former national committeeman of the Republican party in Georgia, says he just don't care to sleep in the upper berth of a Pullman car over any white Chicago Republican congressman who "raises hell" about it, anyhow.

The little episode is right interesting, in fact amusing. According to Ben's version of the affair, it occurred on the Birmingham special coming down from Washington last Tuesday, when he and Congressman F. A. Britten, of Chicago, were both coming to Atlanta. Ben was just coming home from a political powwow in Washington and the Chicago congressman was coming here to visit Col. John D. Little.

Ben had "upper 2" and the congressman had "lower 2," and, when bedtime came the Chicago Republican congressman bucked on the social equality sleeping arrangements, despite the fact, Ben says, that he buckles over and bows down to the Negro voters in his home district about election time. To quote Ben in his own written language, "Congressman F. A. Britten attempted to raise hell." To make the story short, Ben says he just asked the conductor to put him in another car because he "didn't care to ride in a section with a white man of the breed of Congressman Britten."

**Davis Recites Story**

Here's the way Ben tells the story in print in his own paper, the Atlanta Independent:

"Tuesday night Congressman Britten, of Chicago, was en route to Atlanta as the guest of Honorable John D. Little, one of Atlanta's foremost lawyers. The congressman was accompanied by his wife, he occupied two lowers, one and two in car K-8 on the Birmingham special from Washington to Atlanta. The editor of the Atlanta Independent had uper No. 2 over one of the congressman's lowers.

"When the congressman found out that a Negro occupied one of the uppers over one of his lowers he objected abruptly to a Negro riding not only in the same section with him, but in the same car. He said indignantly that he objected to riding in a sleeper with a "damn Nigger," he made himself obnoxious in the sleeper by his coarseness and noise. The editor, who heard the noise, walked through the car to see who it was, as he thought it must have been a ruffian or a drunken rowdy making himself objectionable among decent people. But, the congressman was not long in letting the passengers know he was a congressman and represented a Chicago district. We have been riding on the Southern railway in a sleeper from Washington to Atlanta for 25 years and we have never had a southern white man to make himself as obnoxious and cut the fool as did this Chicago congressman who is use to calling Negroes Mr., Mrs., and Miss.

"In Chicago Britten is use to taking off his hat to Negroes and bowing and scraping for their votes, but down here he thought that he would play smart and raise hell because a Negro was riding in a Pullman car with him. If the stock yard congressman doesn't know it, we state if for his information that Negroes in the south are use to riding in Pullman cars with southern white gentlemen and ladies without protest or molestation. The editor happens to know Britten by reputation, and understands that he is a Republican who overdoes himself among Negroes on election day and makes an ass of himself when he comes south by showing more race hatred than does the regular southern man.

"The editor of the Independent passed no words and made no criticisms of the congressman's ignorance and attempt to out-southern the southern cracker, but suggested to the porter that he tell the conductor that if there was a berth in any other car he would be glad to be transferred to it as he did not care to ride in a section with a white man of the breed of Congressman Britten. The editor had respect for the congressman's wife and to relieve an embarrassing situation he was transferred by the conductor on his own motion. Let the Negroes of Illinois take notice that the congressman said that he objected to riding in a sleeper with a damn Nigger."

# Traveling Jim Crow in Dixie

*By* GEORGE S. SCHUYLER
*in The American Mercury*
[Extracts]

Afro American
Baltimore
May 26-30

What is particularly annoying to the Negro traveler is the lack of uniformity in jim crow customs. For instance, when he descends from a train at a station in the South, he has no way of knowing whether the "white" taxicabs will accept him as a fare or not. If there are no Negro cabs about, he has to take a chance on being refused and perhaps insulted.

In Memphis it is necessary for a Negro to obtain a Negro taxicab. In Little Rock one may take any cab, whether operated by white or black, and either will call at one's hotel or rooming place at any hour of the day or night. In Vicksburg one must take a Negro cab. In Monroe and Shreveport a Yellow cab will carry anybody and answer telephone calls in a jiffy. When I first visited Dallas four years ago I had to call for a Negro cab from the station but I understand it is different now. In San Antonio you take any available cab and the same is true in all Virginia cities I have vsited. In New Orleans last Winter I missed the morning train to Mobile because of my inability to get a Negro cab in time, while dozens of empty white cabs careened past me. On the other hand I nearly missed a train once from Shreveport to Marshall, Texas, because I thought a Yellow cab would not carry me and I was waiting impatiently for a Negro chauffeur to happen by. When I told the landlady about it, she telephoned for a Yellow cab and it was there in four minutes. Despite the name, some of the Black and White cabs will not carry Negroes, while others in a town a short distance away will gladly do so.

The following experience of a white Negress is evidence that it pays to be informed on the vagaries of jim crow. Not knowing the custom in Birmingham, that great intellectual center, she hailed a white chauffeur when she got off the train, since she saw no black ones about. The fellow came with a smile. When the taxicab arrived at the address she had given, a very black woman, a relative, rushed out and embraced the passenger. The chauffeur, who had been paid his fare and given a substantial tip, threw the money into the woman's face, cursed her fearfully and warned her never to get in a white taxicab again. She hasn't.

**On Street Cars**

This confusion of jim crow practice is not confined to taxicabs, for the strange Negro can get into a peck of trouble on the street cars. For instance, all passengers, white and black, enter and leave from the front of the car in Charlotte, N.C. In Atlanta the blacks may enter from the center or rear but they must leave from the rear. In Memphis Negroes enter from the rear and leave from the rear while whites enter and leave from the front. In Little Rock all enter from the front. While Negroes sit in the rear of street cars in every other place in the South the short electric line from Fort Gibson to Muskogee, Okla., insists that they sit in the front rows. I clearly recall being bawled out by a long lanky conductor because I sat in a rear seat, thinking I was abiding by the laws of the South.

Many street cars in Dixie have movable signs, marked "White" on one side and "Colored" on the other, which fit by pegs into holes in the back of each seat. Whites are supposed to fill the car from front to rear while Negroes fill it from rear to front, and these signs are supposed to be moved by the conductor accordingly. Other street cars have no signs at all, only an imaginary line. There is naturally bound to be confusion and misunderstanding, especially during the hours of heavy traffic. Sometimes white folks sit where they please, which embitters the Negroes who dare not follow suit; at other times, because of crowded conditions, Negroes have to push into what the whites consider their part of the car. On some lines there are always few Negroes and many whites; on others just the reverse is true. In such cases a car may be overflowing with blacks or whites with no room for members of the opposite group. There is dynamite in such situations and mass fights and murders are sometimes the result.

Jim Crow Car Laws - 1930

Georgia.

**CONGRESSMAN F. A. BRITTEN ATTEMPTS TO RAISE HELL**

Independent

6-1-30

Atlanta, Ga.

Tuesday night, Congressman Britten, of Chicago, was en-route to Atlanta as the guest of Honorable John D. Little, one of Atlanta's foremost lawyers. The Congressman was accompanied by his wife, he occupied two lowers, one and two in car K 8 on the Birmingham Special from Washington to Atlanta. The Editor of the Atlanta Independent had upper No. 2 over one of the Congressman's lowers.

When the Congressman found out that a Negro occupied one of the uppers over one of his lowers he objected abruptly to a Negro riding not only in the same section with him, but in the same car, he said indignantly that he objected to riding in a sleeper with a "dam nigger," he made himself obnoxious in the sleeper by his coarseness and noise. The editor, who heard the noise, walked through the car to see who it was, as he thought it must have been a ruffian or a drunken rowdy making himself objectionable among decent people. But, the Congressman was not long in letting the passengers know he was a Congressman and represented a Chicago District. We have been riding on the Southern Railway in a sleeper from Washington to Atlanta for 25 years and we have never had a southern white man to make himself as obnoxious and cut the fool as did this Chicago Congressman who is use to calling Negroes Mr., Mrs., and Miss.

In Chicago Britten is use to taking off his hat to Negroes and bowing and scraping for their votes; but down here he thought that he would play smart and raise hell because a Negro was riding in a pullman car with him. If the Stock Yard Congressman doesn't know it, we state if for his information that Negroes in the South are use to riding in Pullman cars with southern white gentlemen and ladies without protest or molestation. The Editor happens to know Britten by reputation, and understands that he is a Republican who over does himself among Negroes on election day and makes an ass of himself when he comes south by showing more race hatred than does the regular southern is in Atlanta and may learn a thing or two before election day in Illinois.

The Editor of the Independent passed no words and made no criticisms of the Congressman's ignorance an attempt to out southern the southern cracker, but suggested to the porter that he tell the conductor that if there was a berth in any other car he would be glad to be transferred to it as he did not care to ride in a section with a white man of the breed of Congressman Britten. The Editor had respect for the Congressman's wife and to relieve an embarrassing situation he was transferred by the conductor on his own motion. Let the Negroes of Illinois take notice that the Congressman said that he objected to riding in a sleeper with a dam nigger.

Jim Crow Car Laws-1930

Illinois.

# Nonwhites Forced to Ride in Freight Lift

Twenty-eight members of the New York News Golden Gloves contingent arrived in Chicago last Saturday morning for the intercity bouts with the Chicago Tribune Golden Gloves winners and runner-ups this week.

They were to be guests of the western newspaper and were to be quartered at the magnificent Medinah Athletic Club building, next door to the Tribune tower on Michigan Ave.

Word was sent out that the team would work out together each afternoon at 3:45 in the gymnasium of the club on the 12th floor.

On the New York team is Sylvan Taylor, heavyweight boxer and Metropolitan A. A. U. champ for 1927; also Charley Alverez, a Porto Rican, and Bobby Carleton, a lightweight. The rest of the boxers are white boys of various races and nationalities. Pete White of the Salem Crescent A. C. is with the group, coming as the guest of the News.

With a Chicago Defender reporter these four drove up to the Medinah Athletic club and, entering the lobby, were met by a courteous attendant, who seemed to know all about the New York Golden Gloves team stopping there and the arrangements, and busily engaged the party in a conversation while pressing the button for the elevator.

The party was ushered in, and off started the lift for the 12th floor, but stopped en route to take on a couple of Irish chambermaids from the other side, with sheets and pillow slips on their arms. It was sensed then that the visitors and the reporter had been placed on the "help's" elevator.

Once on the 12th floor and alighting in the lobby the reporter brought this to the attention of the boxers, and said the way to break it up was to protest to either Paul Gallico, sports editor of the New York News, or to the sports department of the Chicago Tribune.

In the meantime the manager or assistant manager came along and proceeded to show the boys where to check their bags, get their towels, and to dress, and "as long as you have a few hours wait you might want to walk down the boulevard," he went on to say, "and I'll show you boys how to get in and out." He then showed the five of them around to the rear, back among some boxes and under a sign that read "freight elevator."

The Defender reporter protested about the way in which the club was treating the visitors and told the employee of the club that the Chicago team stopped at the Knights of Columbus hotel in New York, ate and trained together, and that the matter would be taken up with the proper authorities.

The Defender reporter was informed that he (the manager or assistant manager) rode on the freight elevator and the reporter informed him that he, too, was "help" and had to do so because he expected his pay each week, but that the boxers didn't have to ride the freight elevator, nor did they have to stand for that sort of treatment.

The reporter was informed that it was against the rules of the club to have "Colored use the front lobby or to ride in the elevators with the club members," yet a Jewish boy, without a coat on, and a group of six or seven boys were seen to use the passenger elevators.

The freight elevator descended, but did not stop at the first floor, keeping on to the basement, where the group was shown Illinois St., to which they were able to get to after climbing over several baskets of linen and boxes. It was then a climb had to be made up rickety stairs to Michigan Blvd.

When the party reached the boulevard Alverez, Taylor and Carleton said they would not train at the club if they had to ride in the freight elevators, and the Tribune officials were sought. The Porto Rican was ready to go back to New York. So were Carleton and Taylor.

Mr. Maxwell, sporting editor, on hearing the protest, threatened to withdraw the New York team from the Medinah club and send them elsewhere. He talked in no uncertain terms over the phone to the manager of the club, but the manager said he would lose his job if he allowed any but white people to ride the passenger elevators.

Then came the conference, which lasted nearly half an hour. The Defender reporter didn't sit in, although asked to. He had stated how he felt and how the boys felt, and there wasn't anything to do but rest on his manhood. But the boxers, when promised they would be allowed to eat and train with the team, decided "for the sake of not disrupting the New York team's spirit," that they would allow themselves to be subjected to the insult.

It is understood that Taylor was the first to agree, then Carleton and Alverez gave in.

When the news of the humiliation reached the South side, several parties for the visitors were called off immediately, and as a result the New Yorkers got a most chilly reception while here.

The trouble with the officials of the New York party was that they felt the issue about the freight elevator was one brought up simply to stir up the three nonwhite boys' minds so that they couldn't win while in Chicago.

In this the New Yorkers were unable to see the principle at stake. If the team was to come here as a team it should have remained as a team. If the rules of the Medinah Athletic club are such, and all loyal Americans cannot be treated as men, then the team shouldn't have accepted the proposition to stop there and have three of the boxers and a guest of the team subjected to the most gross insult by being forced to ride as freight.

These young men first decided not to ride the freight elevator, not to train at the club, rather than to accept the insult, but after provisions had been made to train at Barry's gym in private, these same boys about faced and bowed to the will of those who were depriving them of their manhood.

While the work of those who have the interest of the Golden Gloves tournament at heart, both here and in New York, also the intercity matches, is for good, clean sportsmanship in boxing, without regard to race, creed or color, and these men want to see this same spirit continue, these efforts are practically useless if teams are to be split because of color or religion, and the efforts are wasted. Certainly the Colored readers of the News in New York and the Tribune in Chicago will enter an overwhelming protest against what happened this past week. Neither can the Jew allow this to go by unchallenged, because there are clubs and hotels from which even he is barred, despite his vast horde of money.

Jim Crow Car Laws-1930

Indiana.

# JIM CROW CASE IS AIRED IN THE FEDERAL COURT

—•—

JUDGE BASELL OVER-RULES TRANSIT COMPANY DEMURRER IN $10,000 DAMAGE SUIT FILED BY ATTORNEY JAMES B. BATTEY

A demurrer filed by attorneys in behalf of the Interstate Transit Company, Incorporated, in a $10,000 damage suit instituted against the company by James B. Battey attorney was over-ruled Wednesday of last week by Judge Basell of the United State District Court.

The case is the outcome of an alleged attempt by agents of the transit company, which operates a bus line between Indianapolis and Louisville. According to Mr. Battey, he made an uneventful trip to the southern city from Indianapolis on a round-trip ticket purchased from the bus company here. But trouble started when he boarded the same bus at Louisville for the purpose of returning to Indianapolis. It came about when Battey was directed by the driver to a seat in the rear end of the bus, only to have his suggestion promptly turned down by the Indianapolis attorney with the ascertion that, "I positively refuse to be Jim Crowed."

**Ordered Out Of The Bus**

At this juncture, Battey's ticket was returned to him by the driver who ordered him out of the bus.

Attorneys R. B. H. Smith and Frank Williams are representing Mr. Battey in the case.

When seen recently, Mr. Battey expressed himself to the effect that he is looking forward to a judgment in the case.

Jim Crow Car Laws-1930

Louisiana.

## WHAT WILL THEY DO NOW?

New Orleans is in a quandary. A few days ago some misguided person threw a bomb at a street car and, not knowing the Jim Crow regulations of that city very well, tossed it into the front of the car where the white people were riding. What happened was most unfortunate for the white people of that city who were in the car at the time the bomb exploded. Now New Orleans is pondering just what to do about it.

The bomb was certainly not meant for white people. As a matter of fact, it was placed in the car as a warning to the street car company for its stand in a labor dispute, but the plan was not to injure white passengers. Just the same whites and only whites felt the blow.

Since the catastrophe little New Orleans has been pondering the situation seriously. Many suggestions have been offered, but to date none have been accepted. Among the ideas considered are: to paint the cars two colors—one half white and the other half black. This would tell the bomber at a glance just where to place his message. Another suggestion is for all lines to run two separate cars, the white car to be in front and the black car to trail along, connected to the former by a chain. But this would make necessary the employment of a dark man to act as conductor on the second car, and New Orleans would never stand for this. One wise citizen suggested that white people ignore the Jim Crow law and sit all over the car, allowing dark passengers to do likewise. This, however, would never do, because it would smack of social equality.

And so the discussion rages. The stree car problem has become acute. Many white people have decided that they will darken their faces and pass for "Colored" until the question is settled. They say that they must ride the cars because they can't afford automobiles of their own, but they don't want to be blown up when there are dark passengers in the cars who could just as well receive the brunt of the ire of bomb-throwing artists, and the result would be the same to the street car companies.

Meanwhile, New Orleans' dark citizenry is enjoying car riding with uninterrupted security. They enter from the rear and take great pains to see that they do not violate the Jim Crow laws—not because they have so much respect for the laws, but they just delight in their new-found security. It has not yet occurred to the bomb-throwers that they could solve the problem by placing their instruments under the rear wheels instead of the front!

# *Prejudiced Conductor Faces Assult Charges*

NEW ORLEANS, La., May 15.—Following the complaint of Miss Maggie Judge, a school teacher living at 1104 Bordeaux St., that while a passenger on the Tulane-St. Charles Belt car line she was assaulted by a conductor, the legal committee of the Federated Civic Leagues has retained Attorney A. P. Tureaud to institute both criminal and civil actions.

The street car conductor, who refused to give his name, but was wearing badge No. 588 on car No. 410, is to have charges of assault and battery filed against him, and the New Orleans Public Service, Inc., as operators of the street car system, is to be sued for damages by Miss Judge.

It has been ascertained, the investigating committee of the Federated Leagues disclosed, that numerous reports have been made to the Public Service company of the readiness of conductors to enter into physical altercations with nonwhite passengers over the most trivial matters. Among the cases cited was that of the wife of a prominent school principal, who was forced to get off a car to protect herself after she had refused to obey the abrupt and offensive orders of a conductor to give her seat in the Jim Crow section of the car to a white man.

Since the recent car strike, it is reported, the conductors, almost to the point of persecution, force Race passengers to crowd together so as to provide seats for whites, and then force passengers of our Race to stand up in crowds while white passengers in many cases monopolize most of the cars by each taking a single seat.

Jim Crow Car Laws- 1930

Michigan.

# Judge Cites Constitution and Decides Against Bus Co.

Defender 2-22-30

DETROIT, Feb. 17.—Judge Sampler of Ann Arbor, sitting in court in the Barlum Tower, denied the appeal of the Greyhound Bus and Motor Transit corporation against the verdict of Judge Jess Drake on Dec. 3, granting Mrs. Pauline Stevens, 1440 Hasting St., $100 for damages against the company. Judge Sampler, after viewing the facts in the case, not only denied the appeal, but awarded the plaintiff an additional $250, making the total $350. Chicago Ill.

The facts, as presented to the court, showed that Mrs. Stevens purchased a ticket from Detroit to Lima, Ohio, over the Greyhound line on Oct. 21, 1929, and took a seat in the third row from the front in the bus. Mrs. Stevens testified that she was forced by the employees of the bus to take a seat in the rear, where the rain poured in, soiling and damaging her clothing and causing subsequent sickness. She entered suit for $500. In handing down the decision, Judge Sampler severely reprimanded the defendants for denying the plaintiff her rights because of color. He said he was tempted to fix the damages at $1,000.

The visiting judge also reminded the defendant that members of our race were originally brought to this country against their will and were forced to serve as slaves until emancipated. He cited the 13th, 14th and 15th amendments, which guarantee us fundamental rights that should not be denied by the white citizens, especially at a time when Bolshevik reds are making such a strong appeal to the Negro masses.

Sampler of the state court at Ann Arbor cited the thirteenth, fourteenth and fifteenth amendments to the United States Constitution, adding that fundamental rights should not be denied Negroes.

Judge Sampler upheld the award of $100 originally handed down by Judge Jesse Drake of the lower court and in addition to sustaining the original amount, increased the award to $350.

Mrs. Stevens said that she was forced to take a rear seat in a Greyhound bus, that the rain poured thru the window and that she was taken ill from the exposure.

# GREYHOUND BUS MUST PAY $250

## Higher Court Gives More Damages to Woman Jim Crowed

DETROIT, Mich.—In upholding an award arising from a bus segregation case brought by Mrs. Pauline Stevens against the Greyhound Bus and Motor Transit Corporation, Judge

Jim Crow Car Laws - 1930

Missouri.

# Atlantic Pacific Stages Bid For Colored Trade

Call 2-14-30

A pioneer in motor coach transportation, and with a past record of unfailing fair treatment to colored patrons, the Colonial Atlantic Pacific Stage System with local headquarters at 1210 Central avenue, offers specific inducements to colored passengers. This company maintains lines from coast to coast and to all points in the south. Their equipment is the latest type with heated coaches, reclining chairs, inside baggage racks, and other conveniences. All passengers are insured. "We believe in the courteous treatment of all our patrons, Negroes being no exception," S. D. Jarrett, division manager said. "We welcome colored patronage and in order to encourage it have established a branch Kansas City office at 1204 E. Eighteenth street. This is for the convenience of our colored trade only, and is distinctly not a segregation system. Colored people can secure tickets and information from our other offices and receive the same treatment as any other applicants."

# BUS CO. REFUSES NEGRO PATRONS IN KANSAS CITY

Trial Commonwealth 7-12-30

Baltimore, Md.

Kansas City, July 5.—J. G. Ish, Jr. director of agencies for the Pyramid Mutual Life Insrance company was denied accommodations on the Pickwick-Grey-hound bus company's Nite-Coach to St. Louis Wednesday night, June 25.

Mr. Ish had purchased a ticket and reservations, but when he went to board the bus, he was told to return to the office and get arefund. He replied instead:

"No, I think I'll keep this ticket and have a little fun with it."

Mr. Ish left the same night on the train, declaring he would file suit for damages against the company in the federal court in Chicago. The home office of this company is in Chicago and one division of the Pickwick corporation has headquarters there.

**"Don't Want Negro Business"**

E. H. Mount, traffic manager for the bus line, told The Call that his company did not solicit Negro business for the Nite-Coach. When asked what he meant, he stated that the company "didn't want Negroes on the Nite-Coach."

He stated, however, that he did not see how the driver could have denied Mr. Ish if he had purchased the ticket himself. He said all tickets were numbered and had to be signed by the passenger in person and that they were not transferable.

The Nite-Coach is a bus equipped with sleeping berths, hot and cold water, wash stand, smoking stand and thermos bottle drnking water in each compartment. Meals are also prepared and served en route.

**Woman Wins Damages**

The Pickwick-Greyhound company is the largest single bus carrier in the country operating throug affiliated lines in nearly every part of the United States.

Some Negro passengers traveling its lines between here and St. Louis have reported segregation to back seats, but others have said they had no trouble. Three months ago the Pickwick lines operating out of Detroit, Mich., were sued by a colored women passenger, because she was compelled to take a rear seat. She was awarded $250 damages in the lower court. The company appealed the case and the higher court increased her damages to $350.

# FIGHT JIM CROW ON INTERSTATE BUSSES IN MO.

Chicago

KANSAS CITY, Mo., July 30—Suit against the Pickwick-Greyhound bus lines operating through the state of Missouri was filed last week in this city by J. G. Ish, former director of agencies in Little Rock, Ark., for the Pyramid Mutual Insurance company as a result of an attempt to discriminate against Mr. Ish, who had obtained passage on the night bus to St. Louis.

8-2-30

Mr. Ish had a friend secure his reservation earlier in the day. When he called at the bus station prepared to leave that night. the bus attedant informed him that there were no vacancies. When he showed his reservation, the attendant said that some mistake had been made and offered to return the money which Ish had paid for passage. "Never mind," Ish replied, "I'll keep it and have a little fun."

Chicago Ill.

On returning to the city, he turned the case over to an attorney who filed suit against the bus company. Similar cases of discrimination on the motor buses have been reported, and victims of such practices are advised to take legal steps to put a stop to them.

# SHAW PROFESSOR REMOVED FROM INDIANA BUS

Afro-American

## Prof. James A. Johnson Beaten Up Because He Sat in Front Seat.

9-6-30

## COP LOOKS ON

Baltimore Md.

## Educator Continues to New York on Train.

ST. LOUIS, Mo.—Declaring that while a cop looked on, a conductor on the Pickwick Greyhound Bus Line beat him up because he refused to move to a rear seat on a trip from St. Louis to New York last week, Professor James A. Johnson, professor of economics at Shaw University, is preparing to file damage suits against that company.

**Prof. Johnson declared that he will not only file a damage suit but that he will take the matter up with the Interstate Commerce Commission. The Pennsylvania Railway is said to be interested in the Greyhound Bus Lines.**

**Tells Story**

**According to the professor's own story of the affair, he boarded the bus at St. Louis after purchasing a ticket to New York. Everything went along all right until he reached Indianapolis, where he changed busses. On the bus leaving Indianapolis, he took a seat fourth from the front.**

**Just before reaching Knightsville, he said, which was about 3:30 a.m., the driver came to him and said,**

**"Say, Shorty, get up and take a back seat." When asked why he had to move, the driver told him to get up and give a white lady a seat. He refused, telling the driver that there were other empty seats. "You will get back there or get out of here," the driver said as he went back to the rear of the bus.**

**"There is one nigger back there by himself and you up here by yourself. I am not going to have you monopolize the whole bus," the driver also said.**

**Calls Constable**

**When the bus reached Knightsville the driver announced a ten-minute rest. Most of the passengers got out but Prof. Johnson remained in his seat. It was at this time that the driver went and called a constable to tell him what he was going to do. As the officer looked on the driver entered the bus, and coming to him said, "You are not going to move, are you?" Prof. Johnson told him, No. He then struck the passenger with his fist, grabbed him in the bosom and knocked him all over the head and face. With his shirt almost torn off, Prof. Johnson was compelled to leave the bus.**

**After looking on, the constable told him, "He did you right; you should have moved when he asked you." Although it was around 4:00 a.m., Prof. Johnson was told that he could not stay in town and left later on a train for New York.**

**Treated Courteously**

**On the train, Prof. Johnson saw he was treated courteously by the conductor who gave him a comfortable place to lie and offered to get a doctor. He has retained his ticket and the name of a passenger who witnessed the affair, he says.**

# TWO EJECTED FROM BUS ASK $10,000 DAMAGES

Chicago

9-19-30

St. Louis Mo.

With the remark, "I don't care. It is not raining on me," a driver on Missouri Pacific Transportation Company's bus line put Misses Beatrice Hendrix and Mary E. Beard off the bus at Festus, Missouri, in a heavy rainstorm last Sunday night when they refused to occupy the wet rear seat while there were plenty of dry ones vacant, according to petitions filed in the circuit court by the young women. They state that they bought tickets and boarded the bus and were told by the driver to sit on the rear seat which they stated was wet from having been rained on. Upon their refusal to occupy this wet seat, the young ladies charge that the driver told them the rules of the company allowed colored people to ride only on the rear seat in its busses and proceeded to put them and their baggage out in the terrific rainstorm which was raging at the time.

**Drenched To The Skin**

The petitions states that they were drenched to the skin and their clothing and baggage ruined by the rain, and that they were compelled to wait two hours in that condition before they could get another bus for St. Louis. The petitions ask for $5000 each against the company. The young women charge that there were plenty of vacant seats in the bus that were dry, and that the driver tried to force them to ride on the rear seat because they were colored people.

Attorney Geo. L. Vaughn represents the young women in the suit.

Jim Crow Car Laws- 1930

North Carolina

# TEACHER ARRESTED FOR RIDING FRONT SEAT OF JIM CROW STREET CAR

Pittsburgh Courier

9/27/30

**Lillian Redding of Delaware Locked Up In Cell—Later Released On Bail**

CHARLOTTE, N. C., Sept. 25—(By Trezzvant W. Anderson for A.N.P.)—Miss Lillian Redding, young school teacher of Wilmington, Del., who is teaching this winter in the Fairview graded school here, was arrested and thrust into a cell at the Charlotte jail Tuesday night when she was riding in the front of a "Jim Crow" street car, which, with the exception of one white man, was occupied entirely by colored passengers.

In a statement, Miss Redding said that she was told by a white conductor, after she had ridden nearly a mile and a half from Biddleville, "Hey, you! Get back there!"

She looked at him, whereupon he said, "Yes, you!" Upon asking him why, she was told, "Don't ask why. Just get back!"

She then moved back one seat, and on reaching the square the conductor stopped the car and got a policeman, who came into the car and with his hands forcibly removed her, meanwhile using abusive language. She was taken in a patrol to the jail, where she was placed in a cell without being allowed to communicate with her friends. After much trouble she was released on $25 bail.

Jim Crow Car Laws-1930

North Carolina

## An Important Court Decision

THE North Carolina Supreme Court has ruled that buses are common carriers and must provide equal accommodations for both races. The separation of races holds, of course, the same as on railways.

The decree is important in that an effort was made to prevent the classification of bus lines as common carriers. In this particular the State Corporation Commission supported the bus owners who declined to haul Negro passengers and resisted an action instituted to compel them to do so by the North Carolina Commission on Interracial Relations. The ruling of the Corporation Commission was carried to the Superior Court, Judge M. V. Barnhill, of Rocky Mount, presiding, who reversed the ruling. The matter then went to the Supreme Court, which upheld Judge Barnhill.

While the decree itself removes from a section of the population an irritating inconvenience, especially in view of the rapid suspension of local passenger trains in favor of bus lines, its most important significance lies in the manner in which it was brought about. When a certain intra-state bus line refused arbitrarily to carry colored passengers the North Carolina Commission on Interracial Relations composed of some of the State's most prominent white and colored citizens took the matter up and carried it through all of the legal and judicial processes necessary to settle definitely a question which affected vitally a fundamental right of one-third of the population It is an act that is sufficient in itself to prove the inestimable value, to both races, of the Commission on Interracial Relations. It is a sad commentary upon the sense of justice that resides in a state government, that a public service corporation could with impunity defy the law and intelligent public opinion until haled into the courts by a group whose function is to mitigate or remove the irritations that make for race and class discord.

HERALD
Durham, N. C.
FEB 14 1930

## JIM CROW BUSES

The North Carolina Supreme court has handed down an opinion upholding the contention of the interracial society in its demand that bus lines operating in this state provide accommodations for Negro passengers. That matter has been in the courts for a year or more.

The Corporation commission had declined to order bus lines to make provision for carrying Negro passengers, taking the position that busses were not common carriers within the meaning of the law as applying to transporting the races under the Jim Crow method. The case then went into the courts, and Judge Barnhill ruled that the bus lines should provide "separate and equal" accommodations "within a reasonable time" for Negro passengers. The case then went to the Supreme court, which upheld the ruling of Judge Barnhill.

The opinion of the state's highest court comes as no surprise. There is little doubt but that the bus lines are common carriers within the meaning of the law and subject to all the rules and regulations governing a common carrier. No doubt the decision will work a considerable hardship on the bus lines, and may open up avenues for some friction. To avoid the possibility of friction, there will probably have to be separate compartments for the two races, with separate entrances and exits. The system that is in use by the buses on city streets will not work satisfactorily. It doesn't work well now. There is a disposition on the part of members of both races to ignore the rule of separation, and this has caused small bits of unpleasantness at times.

However, it is the problem for the buses and the corporation commission to work out. The courts have said that the bus lines must provide "separate and equal" accommodations for the Negroes, and that is backed by good law. It is up to the bus lines to put the ruling into effect "in a reasonable time." The corporation commission, we suppose, will be the judge of what is "reasonable time," and will also pass upon the question of whether the provisions meet the requirements of "separate and equal" accommodations.

TIMES
RALEIGH, N. C.
FEB 13 1930

## SUPREME COURT BUS LINE DECISION SHOULD CEMENT RACIAL GOOD-WILL

The decision of the Supreme Court requiring bus lines to accept negro passengers and provide them with equal and separate accommodations is one that on occasion is going to create embarrassment. On the whole, however, the new rule and regulation may be expected to work well and without friction, as it has worked for years on railroads and on street cars. It is the exceptional case when the negro traveler in the South attempts to assert himself unpleasantly when using the common carriers to whose service he has a right in all respects equal to that of the white citizen.

When the bus lines first appeared as private carriers, it was inevitable that they should come under regulation by the State. When they expanded so as to become interstate in character, it was as clear that their obligation to carry passengers without respect to race was the same as that imposed on the railroads. The State took over the intrastate bus lines in order to promote their efficiency and to prevent abuses, and Federal law began to operate in the case of the interstate lines. It is somewhat remarkable that in a case as clear as this duty to transport the negroes, the bus lines should have so long escaped the court mandate now laid upon them.

There is no reason to expect the application of this just rule to result in any over-crowding of busses with negroes. Failure of the experiment of the separate bus lines for negro travel showed that members of the race were not over-eager to avail themselves of the privilege. On the special occasion, when for any reason there may be a sudden increase in the number of negro passengers offering as travelers, bus lines should be glad to provide special coaches which they can operate at a profit. Ordinarily the normal light volume of negro travel should be handled easily and without suggestion of friction.

This latest Supreme Court decision was expected and discounted. It is, however, one that should tend to cement racial good-will and understanding.

TIMES
Asheville, N. C.
FEB 13 1930

## The Buses And The Negroes

THE DEVELOPMENT of motor-vehicle transportation to major proportions is once more emphasiled in the North Carolina Supreme Court's decission requiring equal but separate accommodations for Negroes on buses engaged in traffic within the state. The case was before the court on appeal from a decision by Judge Barnhill, who is sustained by the court's decision.

Judge Barnhill ruled that the buses come within the classification of common carriers and, therefore, that they must povide the facilities to the public which are found on the railroads and in railway stations.

The Supreme Court ruling, in an opinion written by Justice Clarkson, upholds this interpretation of the law. Justice Clarkson remarks that the Negroes have "the equal protection of the laws."

Good law and common-sense justice are combined in this verdict from the state's highest court.

Raleigh, N. C. News and Observer
Friday, February 14, 1930

## NEGRO PASSENGERS NOW RIDE BUSSES

### But Few Take Advantage of That Type of Travel, Commissioner Says

Most bus lines operating in North Carolina are now providing accommodations for Negroes but there is very little demand for them, R. O. Self, State Bus Commissioner, said yesterday apropos of the opinion handed down by the Supreme Court Wednesday affirming Judge Barnhill's order to the Corporation Commission requiring it to order the bus lines to provide separate and equal accommodations for Negroes.

Commissioner Self said he anticipated no delay in making the order effective as most of the bus lines now were taking Negro passengers when they sought passage and carrying them on rear seats just as is the custom on street railway cars.

"Negroes use the busses mostly for excursions when they charter whole busses," said Mr. Self, indicating that if the order resulted in increased use of buses by Negroes it would be to the advantage of the lines to provide for them to the extent of running extra busses if necessary.

Until the Supreme Court has certified its opinion down to Wake Superior Court and it reaches the commission in due course no official order to the bus lines is expected to be issued.

OBSERVER
Charlotte, N. C.
FEB 14 1930

## THE RIGHTS OF THE NEGRO.

Obviously the Supreme Court could not have ordered otherwise than it did in requiring the motor bus managements to provide accommodations for colored people, same as is done by the railroads, without having departed from "the spirit and the letter" of the law. The motor buses are common carriers, and as such come under the provisions of the law requiring service as a "common carrier." The colored folks of the State, if they had been so minded, could have operated their own lines of buses, but they preferred to go in with the white folks—and the law is on their side. Owners of motor bus lines are given a reasonable time in which to set affairs in order for accommodation of such of the colored folks as are minded to get in.

FEB 14 1930 TRIBUNE
CONCORD, N. C.

## BUS FACILITIES FOR NEGROES.

One would hardly presume, since the bus is the direct competitor of the railroad, that the decision of the State Supreme Court, ruling that buses must provide separate accommodations for negro passengers, will cause surprise. The decision comes on a sort of test case, since there had been no previous ruling and the bus companies seemed determined to do nothing about the matter until an official ruling had been made.

The case went up on appeal from Judge Barnhill's court, the Superior Court judge ruling that since the buses were common carriers and active competitors of the railroads they should afford the same accommodations as the railroads afford for negro passengers. Such decision the highest course in the State sustains, with the result that the bus lines will immediately make compliance or carry the matter on to the United State Supreme Court.

Certainly the ruling seems fair. It will cause some inconvenience for the bus owners at first and some expense, but the same was true in railroad history and the buses should be shown no special favors since they are common carriers. When the bus lines went out for business heretofore carried by the steam and interurban lines they should have been made to afford accommodations similar to and equal to those afforded by their competitors. Streets cars always have had seats reserved for negroes, and railroads, in this section of the country at least, have separate cars for the colored people.

Separate buses for negroes have been operated in some sections of the State but the plan as a whole has not been successful, due to the rather limited number of negro passengers. But those companies which found it unprofitable to run buses for negroes only will no doubt find it profitable to operate these lines again now that passengers of the two races can be carried in the same vehicle.

Under existing conditions the negroes really have been discriminated against, and the decision of the Supreme Court has been needed. It should serve to settle the matter, for no doubt the Supreme Court of the United States would uphold the sensible ruling already made in the case.

Gastonia N. C. Gazette
Tuesday, May 6, 1930

# Busses Now Carry Negroes By Order Of State Supreme Court

### Many People Apparently Do Not Understand Situation And Criticise Bus Companies.

Gazette Bureau,
Sir Walter Hotel.

RALEIGH, May 6—Many people in the state evidently do not understand that the passenger bus lines have recently been compelled by a decision of the State supreme court to carry negro passengers, and that the State corporation Commission has not other choice than to carry out the court order, according to R. O. Self, State bus commissioner and secretary to the corporation commission.

"We have been receiving a good many letters lately from people complaining because negroes are being permitted to rides on the busses and threatening to stop using the busses if the negroes are not excluded," Mr. Self said, "thus indicating that they believe the corporation commission issued the order to permit the negroes to ride in the same busses with white people. But this is not the case at all. The corporation commission consistently refused to permit the bus lines to carry negroes until they were ordered to do so as a result of the case that was carried to the supreme court several months ago.

"As a result of this court order, the bus lines must carry negro passengers whether they want to or not and the corporation commission has no power to intervene.

"However, the commission has ordered all the bus lines to provide separate compartments in the busses for the negroes and also to provide separate waiting rooms for them in all bus terminals." Mr. Self continued. "But it takes time for the bus companies to comply with this order. For all the newer busses have the center aisle, front entrance busses, making it impossible for them to set aside separate compartments for negroes. But the bus companies are conforming with the order as rapidly as possible, despite the large additional expense it necessitates."

Several years ago several of the bus lines in the state tried putting on separate busses for negroes, but there was not sufficient traffic to make these lines pay so they were discontinued. So the bus lines know now that it would not pay them to establish separate lines and that the only thing for them to do is to provide separate accommodations for white people and negroes on the same busses.

Some of the bus lines are planning to remodel as many of their present busses as possible to provide separate accommodations, and in acquiring new busses will use only those that have a front and rear entrance, with a partition separating the two compartments, for white and colored. Until this has been done, the public will have to make the best of the situation, according to Commissioner Self.

So far as possible, the bus operators are trying to reserve the back seats for the use of negro passengers, as is done in the street cars of the state.

Mr. Self believes that as soon as the true facts in the case are known that the public will be less inclined to criticize the bus lines and the corporation commission and that they will be more patient to give the bus lines time to adjust their equipment to the new order put into effect by the courts.

Rocky Mount, N. C., Telegram
Tuesday, May 6, 1930

# EXPLAIN COURT ORDER FOR NEGRO BUS OPERATIONS

### Corporation Commission Answers Many Letters of Protest Received

Evening Telegram Bureau,
Sir Walter Hotel.

Raleigh, May 6—Many people in the state evidently do not understand that the passenger bus lines have recently been compelled by a decision of the State Suprem Court to carry negro passengers, and that the State Corporation Commission has no other choice than to carry out the court order, according to R. O. Self, State Bus Commissioner and secretary to the Corporation Commission.

"We have been receiving a good many letters ately from people complaining because Negroes are being permitted to ride on the busses and threatening to stop using the busses if the Negroes are not excluded," Mr. Self said, "thus indicating that they believe the Corporation Commission issued the order to permit the Negroes to ride in the same busses with white people. But this is not the case at all. The Corporation Commission consistently refused to permit the bus lines to carry Negroes until they were ordered to do so as a result of the case that was carried to the Supreme Court several months ago.

"As a result of this court order, the bus lines must carry Negro passengers whether they want to or not and and the Corporation Commission has no power to intervene.

"However, the commission has ordered all the bus lines to provide separate compartments in the busses for the Negroes and also to provide separate walting rooms for them in all bus terminals," Mr. Self continued. "But it takes time for the bus companies to comply with this order. For all the newer busses have the center aisle, front entrance busses, making it impossible for them to set aside separate compartments for Negroes. But the bus companies are conforming with the order as rapidly as possible, despite the large additional expense it necessitates."

Several years ago several of the bus lines in the state tried putting on separate busses for Negroes, but there was not sufficient traffic to make these lines pay so they were discontinued. So the bus lines know now that it would not pay them to establish separate lines and that the only thing for them to do is to provide separate accommodations for white people and Negroes on the same busses.

Some of th bus lines are planning to remodel as many of their present busses as possible to provide separate accommodations, and in acquiring new busses will use only those that have a front and rear entrance, with a partition separating the two compartments for white and colored. Until this has been done, the public will have to make the best of the situation, according to Commissioner Self. So far as possible, the bus operators are trying to reserve the back seats for the use of Negro passengers, as is done in the street cars of the state.

Mr. Self believes that as soon as the true facts in the case are known that the public will be less inclined to criticize the bus lines and the Corporation Commission and that they will be more patient to give the bus lines time to adjust their equipment to the new order put into effect by the courts.

Asheville, N. C., Citizen
Wednesday, April 30, 1930

# BUS DEPOTS MUST PROVIDE ROOMS FOR NEGRO RACE

RALEIGH, April 29. (AP)—Bus lines using union bus stations in 13 of the principal cities in North Carolina were today notified by the State Corporation Commission to file with the Commission within the next 10 days plans providing for an adequate waiting room for negroes at each of the cities.

The cities are: Asheville, Charlotte Winston-Salem, Greensboro, Durham Salisbury, Raleigh, Goldsboro, New Bern, High Point, Fayetteville, Wilmington, and Hendersonville.

The State Supreme Court recently upheld a decision by Judge M. V. Barnhill in which it was ruled that buses operating in this State must provide "separate and equal accommodations" for the transportation by bus of negroes, and the letter today, sent out by R. O. Self, director of motor vehicle transportation, is the first step of the Corporation Commission to comply with the court order.

Jim Crow Car Laws - 1930

North Carolina.

Durham, N. C. Sun
Tuesday. May 6. 1930

# REMODEL BUSES TO GIVE NEGRO SEPARATE SEAT

—o—

## Corporation Commission Emphasizes Fact that Supreme Court Responsible for Ruling

—o—

Sun Capital Bureau,
Sir Walter Hotel

RALEIGH, May 6—Many people in the state evidently do not understand that the passenger bus lines have recently been compelled by a decision of the state supreme court t ocarry Negro passengers, and that the state corporation commission has no other choice than to carry out the court order, according to R. O. Self, state bus commissioner and secretary to the corporation commission.

"We have been receiving a good many letters lately from people complaining because Negroes are being permitted to ride on the busses and threatening to stop using the busses if the Negroes are not excluded," Mr. Self said, "thus indicating that they believe the corporation commission issued the order to permit the Negroes to ride in the same busses with white people. But this is not the case at all. The corporation commission consistently refused to permit the bus lines to carry Negroes until they were ordered to do so as a result of the case that was carried to the supreme court several months ago.

"As a result of this court order, the bus lines must carry Negro passengers whether they want to or not and the corporation commission

**Separate Compartments**

"However, the commission has ordered all the bus lines to provide separate compartments in the busses for the Negroes and also to provide separate waiting rooms for them in all bus terminals," Mr. Self continued. "But it takes time for the bus companies to comply with this order. For all the newer busses have the center aisle, front entrance busses, making it impossible for them to set aside separate compartments for Negroes. But the bus companies are conforming with the order as rapidly as possible, despite the large additional expense it necessitates."

Several years ago several of the bus lines in the state tried putting on separate busses for Negroes, but there was not sufficient traffic to make these lines pay so they were discontinued. So the bus lines know now that it would not pay them to establish separate lines and that the only thing for them to do is to provide separate accommodations for white people and Negroes on the same busses.

**Remodeling Vehicles.**

Some of the bus lines are planning to remodel as many of their present busses as possible to provide separate accommodations, and in acquiring new busses will use only those that have a front and rear entrance, with a partition separating the two compartments for white and colored. Until this has been done, the public will have to make the best of the situation, according to Commisisoner Self. So far as possible, the bus operators are trying to reserve the back seats for the use of Negro passengers, as is done in the street cars of the state.

Mr. Self believes that as soon as the true facts in the case are known that the public will be less inclined to criticize the bus lines and the corporation commission and that they will be more patient to give the bus lines time to adjust their equipment to the new order put into effect by the courts.

Wilmington Morning Star
Friday, February 14, 1930

# JIM CROW BUSES NOT YET SETTLED

## No Plans Yet Announced For Carrying Negroes.

No specifications have been sent out regarding the arrangement of buses to permit the carrying of negroes on lines through the state, according to information from the local bus terminal, and it is explained it is probable this will not be done until a much later date, for provision must be made on buses or time must be allowed for the present buses to wear out.

It will be almost impossible, it is shown, to arrange the present carriers in compartments and about the only thing seen at present is to have new buses with proper accommodations built in.

It has been announced that the state corporation commission must "within a reasonable length of time" order "separate but equal" accommodations be provided for negroes on passenger buses and in bus stations by order of the supreme court.

The decision, handed down Wednesday, sustained a superior court ruling by Judge M. V. Barnhill.

TIMES
RALEIGH, N. C.
FEB 22 1930

**WHAT COULD BE RACIALLY FAIRER THAN RECENT BUS LINE DECISION?**

We had thought that, so far as it could be related to a fast-dying "race problem," the recent decision of the Supreme Court to the effect that as common carriers bus lines must accept negro passengers for intrastate journeys as railroads, would have had the unanimous support of the negro press, especially as intelligent an example as that of the Norfolk Journal and Guide.

It is true that when the question was raised before the Corporation Commission that only quasi-judicial body held that the obligation of the common carrier did not apply. At the time this paper exercised its privilege of overruling judicial decisions and predicted that when the question got into the courts the commission would be reversed. So it was, by Judge Barnhill in the first instance, and by the Supreme Court on appeal from his decision. What could have been fairer from any angle? Yet we find the Norfolk Journal and Guide asserting:

> While the decree itself removes from a section of the population an irritating inconvenience, especially in view of the rapid suspension of local passenger trains in favor of bus lines, its most important significance lies in the manner in which it was brought about. When a certain intrastate bus line refused arbitrarily to carry colored passengers the North Carolina Commission on Interracial Relations, composed of some of the State's most prominent white and colored citizens, took the matter up and carried it through all of the legal and judicial processes necessary to settle definitely a question which affected vitally a fundamental right of one-third of the population. It is an act that is sufficient in itself to prove the inestimable value, to both races, of the Commission on Interracial Relations. It is a sad commentary upon the sense of justice that resides in a State government, that a public-service corporation could with impunity defy the law and intelligent public opinion until haled into the courts by a group whose function is to mitigate or remove the irritations that make for race and class discord.

How this state of facts makes a "sad commentary" is beyond our apprehension! Negro passengers received from the courts a guarantee of rights that had been denied them. If their case was sponsored by a State commission organized for better racial understanding, does not the very existence of such a commission of both races itself prove the spirit of justice here brought into question?

As a matter of fact, any negro, no matter how poor, might have proceeded in North Carolina courts by suit for damages or proceedings for mandamus or other legal remedy. It was not necessary for an individual to take on this burden, simply because there existed an agency dedicated to racial justice, which was ready to shoulder it in his behalf.

We do not say that there are not lacks in sentiment, in reason, in human understanding, and sometimes in statutes, which tend to keep the negro from receiving the exact and idealistically impartial justice under the laws which is left over after our central purpose at all costs to nullify and disregard the Thirteenth, Fourteenth and Fifteenth Amendments to the Constitution of the United States as they happen to conflict with fundamental racial tradition.

But the decision in the bus case is in no sense an index to these minor failures to measure up definitely to a major obligation—so far as Southern sentiment admits it.

Morgantown, N. C. News-Herald
Thursday, April 17, 1930

# BAILEY OPPOSED SEPARATE CARS FOR WHITE AND COLORED RACES

The Democratic party immediately enacted into law, Chapter 384 Public Laws of N. C. 1899 passed March 4, 1899, (now C. S. 3494) requiring separate accommodations for the white and colored races. One would think that with such conditions existing, and those that had just a few weeks before passed, and with the negro question still unsettled (for the constitutional amendment was not voted on until August 2, 1900, and did not go into effect until 1902) that a Democrat of Mr. Bailey's alleged regularity would have stood by the Democratic party in this very important measure but he didn't. Listen to what he said on November 30, 1898, in the Biblical Recorder:

"The railroad commission has decided to leave the matter of providing for separate cars for the races to the general assembly. We do not hesitate to say that we regret that the negro question has come up. There is no sense, no providence, in running wild with opposition to the colored race. The individuals of the race are not near so much to be blamed as the politicians who inflamed them. Apply the plaster to the pain. If you cannot, do not apply it at all. There is just one good argument for separate cars, and that is that ladies sometimes find no other alternative but to ride in the same car with uncleanly negroes. But conductors can make this rare if they will; and if necessary, the railroad commission could instruct them to remove any disagreeable person, upon complaint, to the second class car, giving a rebate of the difference in cost. We all know that men ride in the second class car half their journeys for the privilege of smoking, regardless of negroes." Fellow Democrats, how does that strike you? He said they (the Democrats) were running wild with the opposition to the negro. In other words there was no reason on earth for such a law and only one good argument for it, namely, that ladies sometimes found no other alternative but to ride with unclean negroes. What about white men having to ride in the same car with unclean negroes, either male or female? That did not concern or bother him. His sole objection he said could be easily eliminated by having the train conductors remove unclean negroes, upon complaint. My! — what reasoning. Mr. Bailey, you reasoned then like an independent, certainly not like a Democrat. It was just a little over three months before, to be exact, August 13th, 1898, that you wrote to the Wilmington Messenger saying that you were an independent instead of a Republican.—Political Advertising.

Wilson, N. C. Times
Wednesday, May 7, 1930

# BUSSES COMPELLED TO MAKE ROOM FOR NEGRO PASSENGERS

## ORDER OF THE COURT

**Some of the Bus Lines Are Planning to Remodel as Many of Their Present Buses as Possible; Until This is Done the Public Will Have to Make the Best of the Situation.**

Times Bureau,
Sir Walter Hotel.

Raleigh, May 7.—Many people in the state evidently do not understand that the passenger bus lines have recently been compelled by a decision of the State Supreme Court to carry negro passengers, and that the State Corporation Commission has no other choice than to carry out the court order, according to R. O. Self, State Bus Commissioner and secretary to the Corporation Commission.

"We have been receiving a good many letters lately from people complaining because negroes are being permitted to ride on the busses and threatening to stop using the busses if the negroes are not excluded." Mr. Self said, "thus indicating that they believe the Corporation Commission issued the order to permit the negroes to ride in the same busses with white people. But this is not the case at all. The Corporation Commission consistently refused to permit the bus lines to carry negroes until they were ordered to do so as a result of the case that was carried to the Supreme Court several months ago.

"As a result of this order, the bus lines must carry negro passengers whether they want to or not and the Corporation Commission has no power to intervene.

"However, the commission has ordered all the bus lines to provide separate compartments in the busses for the negroes and also to provide separate waiting rooms for them in all bus terminals." Mr. Self continued. "But it takes time for the bus companies to comply with this order. For all the newer busses have the center aisle, front entrance busses, making it impossible for them to set aside seperate compartments for negroes. But the bus companies are conforming with the order as rapidly as possible, despite the large additional expense it necessitates."

Several years ago several of the bus lines in the state tried putting on separate busses for negroes, but there was not suffiicent traffic to make these lines pay so they were discontinued. So the bus lines know now that it would not pay them to establish separate lines and that the only thing for them to do is to provide separate accommodations for white people and negroes on the same busses.

Some of the bus lines are planning to remodel as many of their present busses as possible to provide separate accommodations, and in acquiring new busses will use only those that have a front and rear entrance, with a partition separating the two compartments for white and colored. Until this has been done, the public will have to make the best of the situation, according to Commissioner. So far as possible, the bus operators are trying to reserve the back seats for the use of negro passengers, as is done in the street cars of the state.

Mr. Self believes that as soon as the true facts in the case are known that the public will be less inclined to criticize the bus lines and the Corporation Commission and that they will be more patient to give the bus lines time to adjust their equipment to the new order put into effect by the courts.

# FEW PASSENGERS USE NEW ACCOMMODATIONS

RALEIGH, N. C., June 12—(CNS)—Just what to do with the waiting rooms at bus terminals which were added in accordance with the new law requiring separate accommodations for Negroes, is puzzling some of the companies here, it was learned last week.

6-14-30

Negroes are not riding on the busses here and the separate waiting rooms for them are not being

In speaking of the situation Director R. O. Self of the State Motor Vehicle Transportation said:

"They know they can ride the busses all right, and I believe they will take advantage of the accommodations for them, but right now many are in the same conditions as a lot of others—they haven't got the money for traveling."

Cities now listed as having station accommodations for Negroes are: Asheville, Charlotte, Winston-Salem, Greensboro, Durham, Salisbury, Raleigh, Goldsboro, New Bern, High Point, Fayetteville, Wilmington and Hendersonville.

Raleigh, N. C. News and Observer
Thursday, May 29, 1930

# *Few Negro Passengers Use New Accommodations*

Bus companies have complied with the law requiring separate accommodations for Negro passengers in most of the larger cities, have temporary quarters for Negro waiting rooms in cases where present bus stations will not permit additional waiting rooms, and are adding the required facilities in smaller places, said R. O. Self, director of Motor Vehicle Transportation with the Corporation Commission.

Just one thing is lacking, Dirctor Self observed, after a survey of the situation. There are practically no Negro passengers.

"They know they can ride the busses all right, and I believe they will take advantage of the accommodations for them. but right now many Negroes are in the same conditions as a lot of white folks—they haven't got the money for traveling," said Director Self.

No changes have been made on busses for Negro passengers. They occupy rear seats as they do on trolley cars. In fact, Negro passengers on busses are not new, many lines having hauled them even before the Supreme court held busses to be common carriers. The only change brought about was provision of separate waiting and wash rooms.

Cities now listed as having station accommodations for Negroes are: Asheville, Charlotte, Winston-Salem, Greensboro, Durham, Salisbury, Raleigh, Goldsboro, New Bern, High Point, Fayetteville, Wilmington and Hendersonville.

Jim Crow Car Laws-1930.

North Carolina

Wilson, N. C. Times
Thursday, February 13, 1930

# BUS LINES MUST MAKE ROOM FOR NEGRO PASSENGERS

## ACCORDING TO RULE

### Action to Provide Bus Accommodations for Negroes in the State Was Brought by the Transportation Committee of the North Carolina Interrail Commission.

Raleigh, N. C., Feb. 13.—(AP)—The North Carolina Corporation Commission must "within a reasonable time" order that "separate but equal" accommodations be provided for negroes on passenger buses and in bus stations in the state, according to a ruling of the State Supreme ocurt.

The decision, which was handed down yesterday, sustained a Superior Court ruling by Judge M. V. Barnhill.

Action to provide bus accommodations for negroes in the State was brought by the transportation committee of the North Carolina Interstate commission. The Corporation Commission contended it was without authority to order such accommodations.

The Supreme court decision was written by Associate Justice Clarkson, who in reviewing cases brought before the court in behalf of negroes declared that the negroe has "the equal protection of the law."

Henderson, N. C. Dispatch
Thursday, February 13, 1930

## BUSES MUST SERVE NEGRO PASSENGERS

Raleigh, N. C., Feb. 13 (AP)—The North Carolina corporation commission must "within a reasonable time' order that "separate but equal" accommodations be provided for negroes on passenger buses and in bus stations in the state, according to a ruling of the State supreme ocurt.

The decision, which was handed down yesterday, sustained a superior court ruling by Judge M. V. Barnhill.

Concord, N. C. Tribune
Thursday, February 13, 1930

# Supreme Court Says Buses Of State Must Serve Negroes Also

Raleigh, Feb. 12.—The State Supreme court in a decision handed down today upheld the Superior court decision that the North Carolina Corporation Commission must "within a reasonable time" order that "separate but equal" accommodations be made for negroes on passenger buses and at bus stations in the State.

Eighteen decisions were sent down by the court today.

Action to provide accommodations for negroes on bus lines in North Carolina was brought by the Transportation Committee of the North Carolina Inter-Racial Commission. The Corporation Commission contended that buses had not been legally classified as common carriers and it was without authority to make such provisions, and dismissed a petition. The case was then brought into court.

In his decision in March, 1929, Superior Court Judge M. V. Barnhill held that it was within the power of the commission to have the arrangements made and he ordered it to do so within a reasonable time. He ruled that buses had been classified in the State as

Kimball Memorial Lutheran Church, who was at the head of the table. Those present were:

Misses Janie Freeze, Fletcher Freeze, Mr. and Mrs. D. L. Freeze and family, Rev. M. L. Ridenhour and children, Mr. and Mrs. Charles Goodnight and children, Mr. and Mrs. James Freeze, Mr. and Mrs. A. I. McClamrock and mother, Mr. and Mrs. B. F. Phillips, Mr. and Mrs. Roscoe Goodnight and children, Miss Myrtle Long and Dan Freeze.

**Miss Freeze Entertains For Three.**

Miss Janie Freeze entertained at o'clock dinner Saturday evening t her home on North Main Street n celebration of the birthday anniersaries of J. S. Long, 72 years ld, Luther McKenzie, 38 years old, nd Fletcher Freeze, aged 15 years. The decorations carried out a olor scheme of pink and white, a arge white iced cake, upon which vas inscribed the age of each honr guest, forming the centerpiece of ne dining table.

The guests were Mr. and Mrs. L. I. McKenzie, Mr. and Mrs. J. S. ong, Mr. and Mrs. B. F. Phillips, Ir. and Mrs. A. H. McClamrock, J. . Van Pelt, of Concord; Miss Myrle Long, Miss Nancy Long and liss Annie McKenzie.

lege from removing their equipment, was granted. The college severed its contract with the laundry when one of the Cullins had a fight with a college student.

The appeal of Floyd Stanley, who was convicted of first degree murder in Craven county and sentenced to be electrocuted, was dismissed on the grounds that he failed to prosecute his appeal.

A Monroe taxpayer won his fight to prevent the city council from levying taxes to pay a $5,000 note for the municipal hospital. The court held that a tax cannot be levied for purposes other than necessary expenses except by a vote of the people. It pointed out, however, that the council could have appropriated money already in the treasury.

In a Greensboro real estate subdivision case, L. B. Leftwich against J. D. Franks and others, the court reversed the case on the ground that the defendants' motion for a non-suit should not have been granted.

The decision giving the Grier Lowrance Construction Company approximately $2,000 from the Winston-Salem Journal Company, growing out of a building contract, was modified and affirmed.

The following decisions were handed down by the Supreme Court today.

State vs. Stanley, Craven, appeal dismissed.

Winchester Simmons Company vs. Cutler, Craven, modified and affirmed.

State vs. Transportation Company, etc., Wake, affirmed.

Houck vs. Fire Insurance Company, Ashe, reversed.

Leftwich vs. Franks, et al, Guilford, reversed.

Union Indemnity Company vs. Perry, Guilford, reversed.

Nash et al, vs. Monroe, Union, modified and affirmed.

Bundy vs. Commercial Credit Company, Mecklenburg, reversed.

The Stephens Company vs. Binder et al, Mecklenburg, no error.

Fort Worth and Denver City Railway vs. Hegwood, Iredell, no error.

Grier Lowrance Construction Company vs. Winston-Salem Journal Company, Iredell, modified and affirmed.

Thompson et al vs. Buchanan, Mitchell, no error.

Board of Education vs. Walter Buncombe, affirmed.

Boker vs. Highlands, Macon, affirmed.

Wiggins et al vs. Board of Education, Graham, affirmed.

Conley vs. Cabe, Macon, no error.

Greensboro, N. C. News
Thursday, February 13, 1930

# Bus Lines Require To Make Room For Negro Passengers

## HIGH COURT UPHOLDS DECISION OF BARNHILL MADE IN WAKE CASE

### Is Reversal of Corporation Commission Ruling.

### TO WORK OUT METHODS

### Commission to Determine Manner of Separating Races On Busses.

### 17 CASES ARE SETTLED

**Leftwich Versus Franks, Gold and Mason Reversed — Insurance Company Versus Perry Also Gets Reversal.**

Daily News Bureau and Telegraph Office Elks Temple, Office No. 3, Salisbury St.

Raleigh, Feb. 12.—North Carolina bus lines which have been transporting passengers and drawing the color line as they willed, awaiting a statement to the effect that these lines are common carriers and must carry commonly, got their orders from the Supreme court this afternoon in a decision that compels the furnishing of accommodations for negro travelers.

With this epochal hand-me-down came a large number of ancient cases which had carried the court through the fall of 1929 and into the spring of 1930 without respite for the judges who cleared the biggest amount of litigation in 1929 recorded to date. Nearly all the cases decided late this afternoon came from the unfinished work of 1929.

The bus line decision came after considerable agitation in which the committee on race relations in the state had asked that the corporation commission hold as the court today held. The commission took the position that it never had been settled by the statute that the bus lines are common carriers. When the case came before Judge Barnhill it was docketed as of State of North Carolina on the relation of the corporation commission against the transportation committee of the North Carolina Interracial Co-operation commission.

**Judge Barnhill Heard Case.**

The act under which Judge Barnhill had heard this case did not go into effect until three months later, but he did not wait until them. He decided against the plaintiff state of North Carolina and in favor of the petitioners who had excepted to the commission's dismissal of this action. Judge Barnhill stated the case thus:

"That the petition herein filed

originally before the corporation commission and constituting a part of the record of this case states and sets forth a matter or cause of action within the cognizance and jurisdiction of the corporation commission, and that bus operators who have received franchises to transport passengers for hire, pursuant to chapter 136, public laws of 1927 and other pertinent statutes and who have undertaken to operate pursuant to such franchises and who enjoy the privileges and immunities of such franchises are common carriers.

"That chapter 136, public laws of 1927, and other pertinent statutes confer upon the corporation commission full power and authority to make reasonable rules and regulations governing and regulating the transporting of all passengers, including negroes, on busses and to require that bus operators operating under a general and unlimited franchise provide equal but separate accommodations for white and negro passengers.

"That the legislative enactment of 1929, to wit: House bill number 196 and S. B. number 1011, not being effective until June 30, 1929, does not affect this litigation.

"That the exceptions of the petitioners to the dismissal of the petition as upon demurrer should have been sustained.

"Now, therefore, upon motion of petitioners, the transportation committee above named, it is hereby, ordered, adjudged and decreed, as follows:

"That the exceptions of the petitioners to the dismissal of the petition by the corporation commission be, and the same are hereby sustained.

"That the corporation commission has and is entitled to exercise full power and authority to make reasonable rules and regulations governing and regulating the transporting of all passengers on busses, including negroes, and to require that bus operators, operating under franchises, granted pursuant to chapter 136, public laws of 1927 and other pertinent statutes, provide equal, but separate, accommodations for white and negro passengers.

"That this cause is hereby remanded to the corporation commission for further proceedings upon said petition and for further orders pursuant to this decree.

"The court being of the opinion that the right of the members of each race to travel on busses operated under such franchises for the transportation of passengers for hire is available after a reasonable time, within which the corporation commission may work out the details and put into force reasonable regulations and rules requiring and insuring separate accommodations for the races.

"Now therefore, it is further ordered, adjudged and decreed: That such rules and regulations have been so provided and so promulgated by the corporation commission within a reasonable time after the final judgment herein, the respondents, the bus operators, are not required to transport negro passengers, but they are required to transport negro passengers immediately after the entering and promulgating of such rules and regulations as aforesaid."

**Opinion By Clarkson.**

Justice Clarkson writes the opinion for the court. He cites past legislation on the subject of race regulations and declares that it long has been the policy of the state to promulgate through legislative policy the "separation or segregation of the white and negro races with equal accommodation, in the public institutions of the state, and by public service corporations. Separate schools for the white race and the negroes; separate asylums and other institutions for the afflicted negroes in the state, separate reformatories, etc. In the cities and towns that have them, separate parks, separate libraries, etc. By public service corporations, separation and segregation of railroad and steamboat companies passenger stations."

**Bus Lines of Course.**

Judge Clarkson then reviews the history of the road construction of North Carolina. "We think the corporation commission has full and plenary power, under the present law, to see to it that the bus lines provide separate accommodations for whites and negroes, and separate bus line facilities," he continues. "This matter is left largely to the discretion of the corporation commission as to the manner and method. As to separate apartments in the busses run for the accommodation of the whites and negroes, this is a matter for the corporation commission to determine, taking into consideration the terminals of the lines, population, economic conditions. The matter should be worked out in good faith by the corporation commission, taking all things into consideration, for the best welfare of the white and negro races, so that justice can be accomplished in this racial condition that exists among us a duty that the state owes to all its citizens."

Judge Clarkson reviews the national legislation of these and kindred subjects, but comes finally to North Carolina's expression in its latest legislation and says:

"We believe, in this state, that the negro has the 'equal protection of the laws.' In fact, the best friends that the negro has are his white neighbors. The negro has been in many respects a chosen people—brought here, the land of opportunity, among civilized people, without any effort on their part, from Africa. The burden 'imposed, not sought,' has been on the white people of this state to civilize and Christianize them. The trust has been and is being faithfully performed. The race is making great strides. It is a matter of common knowledge that if in a trial of a case before a jury that involves a money-ed transaction between a white man and a negro man, if there is the least evidence that the white man has over-reached or cheated a negro, the juries invariably decide for the negro. The best element of the negroes in this state are in full accord with law enforcement and the punishment of the negro who would over-step the bounds of race and be guilty of rape or kindred crimes."

**Examines Case Dismissed.**

The court this afternoon passed on an appeal from a death judgment against Floyd Stanley for the murder of James Bryant, of Craven.

The defandant abandoned his appeal and the attorney general moved to dismiss. The court did dismiss but not until it had examined the record to see that no error was committed by the court below.

The Winston-Salem Journal, which appealed from a judgment of $2,228 in a litigation with the Grier-Lawrence company, builder of its new home, won in part its contention when the Supreme court without sending the case back struck from the lower court judgment some items which the high court thought should not have been included in the findings.

**Judge Shaw Reversed.**

In L. S. Leftwich vs. J. D. Franks, C. W. Gold and W. F. Manson, a civil action coming down from Guilford involving Lindhurst, Greensboro suburb, Judge J. T. Shaw, uncanny trier, gets reversed on the home grounds.

It wasn't a whale of a suit as to amount, the jury awarding $4,343.23 after a non-suit was taken as to Charley Gold. The following issues were up and Justice Brogden disposed of the case thusly:

"The following issues were submited to the jury:

"'Did the defendant Franks assume payment of the notes executed by Mrs. Fannie Welborn to the plaintiff L. B. Leftwich as set out and alleged in the complaint?'

"'If so, what amount, if any, is the plaintiff entitled to recover of defendant Franks?"

"The jury answered the first issue 'Yes,' and the second issue, '$4,343.23'.

"Judgment was rendered upon the verdict, from which judgment the defendant Franks gave notice of appeal, but did not perfect his appeal.

"Plaintiff appealed from the judgment of non-suit as to C. W. Gold and the sole question now before us is raised by said judgment of non-suit.

"The plaintiff alleged that the defendants, Franks and Gold, were partners in the real estate business, and as such partners owned the Walker street property. The jury by its verdict has found that the defendant Franks assumed the payment of the notes executed by Mrs. Welborn and payable to the plaintiff.

"Therefore, the determinative question is whether there was sufficient evidence of partnership between Franks and Gold to be submitted to the jury.

"The general law of partnerships applies to a partnership formed for the purpose of buying, selling and dealing in land. Brogden vs. Gibson, 165 N. C., 16, 80 S. E., 966; Gorham vs. Votton, 174 N. C., 727, 94 S. E. 450.

"In the Gorham case, supra, the law was thus stated: 'That to make a partnership, two or more persons should combine their property, effects, labor, or skill, in common business or venture, and under an agreement to share the profits and losses in equal or specified proportions, and constituting each member an agent for the others in matters appertaining to the partnership and within the scope of its business." It was further held "that in order to constitute a partnership it is necessary that there should be something more than the joint ownership of property; that more community of interest by ownership in sufficient to create a tenant in common; that, before there can be a partnership, there must be an agreement for community of profits and loss.'

Viewing the evidence with that liberality which the law prescribes, we are of the opinion that the judgment of non-suit, as to Gold, should be reversed.

**Sits Down On a City.**

The court today sat down on the city of Monroe, which borrowed $5,000 from the First National bank with which to supply money for a hospital. Justice Brogden writing the very brief opinion held that the faith and credit of a city could not be pledged for a cause not regarded by the law "a necessary expense."

The facts are very interesting. Dr. A. F. Mahoney was to take charge of the Ellen Fitzgerald hospital, which has been devised on the will of the deceased. This management was to be changed later in the interest of the Duke foundation. By the new plan the city was to pay $5,000 for the equipment and the county $5,000.

Finally the board of aldermen issued the city's note for $5,000 for its part of the purchase. M. G. Nash and others objected as taxpayers who brought an action to restrain the payment of this note. Judge Clement sitting in chambers decided against the city and restrained the municipality from payment of this obligation. Judge Brogden says in part:

"Moreover, 'for purposes other than necessary expenses a tax cannot be levied within or in excess of the constitutional limitation except by a vote of the people under special legislative authority.'

"Undoubtedly, if the city of Monroe had the money in its treasury, it could purchase equipment for its hospital. But the city of Monroe did not have such funds in hand and undertook to pledge the faith and credit of the city in order to obtain the money. This cannot be done except in accordance with the methods provided by law."

**Laundry Case Settled.**

The court settles Raleigh's famous State college laundry case with a per curiam and in less than 200 words after a more protracted introduction of the facts.

State college was washing its linen and other glad rags at the college laundry operated by Nathan and J. B. Cullins. The court gives this thrilling episode this treatment:

"This is a provisional remedy brought by plaintiffs against defendant for injunctive relief under C. S. 843. On January 1, 1923, J. B. Cullins (who assigned one half interest in the laundry business to Nathan Cullins) and defendant entered into a contract to laundry and press clothes; J. B Cullins to install certain laundry and clothes pressing machinery in the basement of the dining room of the State college and to do the laundry service for the college students and others, the students to have preference, price to be agreed upon by the president of the college and plaintiff, J. B. Cullins. A controversy arose between the plaintiff J. B. Cullins and the president of the college, the details of which are unnecessary to set forth. Out of this controversy arose the question of the construction of the following part of the contract:

"'For unsatisfactory laundry service by the party of the first part, the party of the second part after 30 days written notice to remedy the same without result, may terminate this agreement upon six months written notice to the party of the first part—provided that the party of the second part shall have the option to purchase plant and pay to the party of the first part, at the time of such termination, the reasonable cash value of the complete laundry equipment and appliances installed under this agreement, or else allow the party of the first part to remove said equipment. In the event of such termination of this agreement, and the parties hereto not being able to agree as to the reasonable cash value of such equipment, and appliances, each of the parties hereto shall select an appraiser and the value decided upon by any two of the three appraisers shall be final and the amount said party of the second part shall pay to the party of the first part for the same.'

"The plaintiff alleges, among other things, in substance, that under the contract he had installed machinery at a large cost to perform his contract so as to give satisfactory service. That he is giving satisfactory laundry service and performing his part of the contract. That defendant is threatening to eject him, in violation of the contract, and to close up his business and remove his machinery put there at great cost and improved as the necessary demands required as the years went by on account of the increase of the students and their demand for better service. That the machinery is worth little except for the purpose for which it is now used and that the property would be practically confiscated. 'That moreover, the said machinery, equipment and appliances is of such nature that the same would rapidly and permanently deteriorate and damage if the ame are not in operation, and that to disassemble or remove the same would be practically to destroy it, and if the plaintiffs are wrongfully prevented from the operation of the said plant by being locked out of the possession of the same by the defendant, or if the said plant is itself disassembled or removed by the defendant, or if the operation of the same is discontinued, the plaintiff will suffer irreparable injury, damage and harm; and the plaintiffs say further that the profits which would be lost to the plaintiffs by a wrongful termination of said agreement or a wrongful stoppage of the operation of the same would be speculative, uncertain and incapable of definite ascertainment, and that the plaintiffs would not have an adequate remedy at law on account thereof.

Judge W. C. Harris issued a restraining order and the matter was heard before Judge R. A. Nunn, and the restraining order was continued until the hearing of the case.

The only exception and assignment of error made by defendant was to the order by the court below continuing the restraining order to the hearing of the case. In this we can see no error.

**List of Opinions.**

The opinions:

State vs. Stanley, Craven, appeal dismissed

Winchester Simmons company vs. Cutter, Craven, modified and affirmed.

State vs. Transportation committee, etc., Wake, affirmed.

Cullis vs. N. C. State college, Wake, affirmed.

Houck vs. Fire Insurance company, Ashe, reversed.

Leftwich vs. Franks, et al, Guilford, reversed.

Union Indemnity company vs. Perry, Guilford, reversed.

Nash et al, vs. Monroe. Union, modified and affirmed.

Bundy vs. Commercial Credit company, Mecklenburg, reversed.

The Stephens company vs. Binder, et al, Mecklenburg, no error.

Fort Worth and Denver City railway vs. Hegewood, Iredell, no error.

Grier Lowrance Construction company vs. Winston-Salem Journal company, Iredell, modified and affirmed.

Thomposn et al vs. Buchanana, Mitchell, no error.

Board of education vs. Walter, Buncombe, affirmed.

Booker vs. Highlands, Macon, affirmed.

Wiggins et al, vs. board of education, Graham, affirmed.

Conley vs. Cabe, Macon, no error.

Jim Crow Car Laws - 1930

Oklahoma

# DR. CARVER IS DENIED BERTH TO TEXAS

2-21-30

## Katy and Rock Island to Rescue When Santa Fe Refuses

OKLAHOMA CITY, Okla. — Following the use of Pullman drawing room accommodations from Birmingham to Kansas City, Dr. George Washington Carver, noted scientist of Tuskegee, met the mailed fist of prejudice when his secretary, Harry Abbott applied for drawing room accommodations to Dallas over the Santa Fe and was refused by Glenn Eddie, division passenger agent.

**M. K. & T. To The Rescue**

Eddie refused to sell Pullman reservations to Abbott although he admitted that the reservations had been made at Wichita by Dr. Carver on the Denver-Dallas car which left Oklahoma City, Saturday evening. Katy officials offered their service to Dr. Carver following the blunt refusal of Eddie, but Dr. Carver's engagement at Luther, Saturday made it impossible for him to make the Tulsa connections necessary to accept the Katy offer.

**Gets Pullman In Texas**

As the result of the refusal of the Santa Fe lines to give Dr. Carver the accommodations sought, he and his secretary were forced to ride to Dallas in the separate coach over the Santa Fe. Following their arrival in Dallas, Pullman accommodations were furnished the distinguished American to Austin and following his Texas engagements Dr. Carver left Dallas with sleeping accommodations furnished him to Montgomery, Ala.

**Blame on Legal Department**

Eddie stated that he was following instructions from the legal department of the Santa Fe. He said it was not a question with him of the justice of the action but of his legal rights. He stated that the law would not permit colored men to use Pullman cars in Oklahoma and that their legal department placed a ban on the sale of such tickets in Oklahoma, Texas and Louisiana.

**Wichita Did Wrong**

The division agent was evidently non-plused when told that the Rock Island and the Katy sold Pull- reservations out of Oklahoma City to Negroes and he was queried as to how these other roads could do something under the same law which he refused to do. He said that the Wichita agent should have known better than to have reserved the compartment for Dr. Carver, or quite evidently he had not read his orders covering this subject.

2-21-30

**Texans Honor Carver**

While in Oklahoma, Dr. Carver was the guest of the Oklahoma Association of Negro Teachers and the Oklahoma Educational Association He addressed both bodies. At Dallas he was the guest of the Dallas Chamber of Commerce, the Texas Farm Bureau and the Dallas Farm Club. He was extended every courtesy both in Texas and Oklahoma by members of both races. The only thing to mar the harmony of welcome in the two states was the action of Glenn Eddie, the division passenger agent of the Santa Fe lines.

## Insulting Dr. Carver

The Negroes of Oklahoma should go immediately before the Corporation Commission and demand some definite ruling as to their rights in public travel. The administration of the separate coach and waiting room law in this state is now in the hands of individuals who have no fixed rules governing their conduct and as a consequence black citizens are left to the mercy of any uncouth bum who happens to be in charge of the service.

Black Dispatch

This expression is prompted by the recent attitude of an official of the Santa Fe Railway Company who violated the law of contract when he refused to deliver to Dr. George Washington Carver the Pullman reservation secured by him in Wichita, Kansas, over the Santa Fe Lines, from Oklahoma City into Dallas. The agent at Wichita made the reservation and later confirmed his agreement over long distance telephone, still later to have the Oklahoma City official to ignore this verbal contract and insultingly say, "No, you cannot get it."

Of course the argument is used that the legal department of the Santa Fe has advised against selling Negroes Pullman fares in Oklahoma, Texas and Louisiana on the theory that the laws of Oklahoma will not permit Negroes to ride on Pullmans.

The laws of Oklahoma say that there shall be EQUAL BUT SEPARATE accommodations for Negro and white passengers. A legal department in hell could not twist reason into such interpretation of a law, which, after saying the accommodations should be EQUAL, would deny a class of service on public carriers to black folk which white folk enjoy.

3-13-30

President Hoover's law observance commission would do well to come to Oklahoma and call on the legal department of the Santa Fe Railroad Company if they really want a slant at hypocrisy and the reason why the nation is going to the bow-wows. EQUAL BUT SEPARATE—and yet when a white bum goes to Dallas, Texas, out of Oklahoma City he can lie down and sleep; George Washington Carver, the latches of whose shoes few white men in Oklahoma are worthy to unlatch, must jam himself in the corner of a Jim Crow coach and suffer.

Unless the statutes of Oklahoma are a bunch of dirty lies, a Negro can ride in a Pullman car. How otherwise can the accommodations be equal? Dr. Carver reserved a drawing room. There is no Jim Crow coach in Oklahoma which so absolutely and completely separates whites from blacks as a Pullman drawing room. Every person who has discourse to reason knows this, and this statement goes also for the legal department of the Santa Fe Railroad.

Oklahoma City, Okla.

The fact that the Katy and Rock Island sell Pullman reservations out of Oklahoma to Negroes, shows plainly that injustice on other roads creeps in through the narrow interpretation of the statutes and not through the mandates of the law per se. Evidently there is too wide a gap between what the law means and what some folk think it means. If this is true, then the Corporation Commission of Oklahoma should fix a rule which would work for uniformity in the service.

The argument advanced by some white people that the railroads could not afford to maintain separate equipment EQUAL IN POINT OF COMFORT for both races will not hold water in a court of justice and fairness. White folk wrote the law; white folk own the railroads and white folk should have surveyed this phase of the question before they acted so hurriedly in 1907. Such an argument places the question of property rights above the question of HUMAN RIGHTS.

If those who wrote the law did survey and study this angle of the subject during the days of the first legislature; if they did not intend to give the Negro the same accommodations as they did the whites, why does the law say the equipment shall be EQUAL BUT SEPARATE? If the white readers of the Black Dispatch who scan these lines can get any satisfaction or pleasure out of the fact that the legislature of Oklahoma deliberately and premeditatedly placed a lie upon the statute books and called it law, may God be merciful to them when the hour comes when they shall stand in judgment.

# Walker Official Is Jim Crowed In Oklahoma

Courier

8-23-30

Pittsburgh, Pa.

**Harry D. Evans Says He Will Sue Pullman Company**

OKLAHOMA CITY, Okla., Aug. 21.—Harry D. Evans, advertising manager for the Mme. C. J. Walker Manufacturing Company, was forced to leave his Pullman berth and accept a seat in a separate Jim Crow coach last Monday while traveling between Tulsa and Oklahoma City.

Evans had purchased a ticket from Indianapolis to Oklahoma City, with Pullman reservation to Tulsa. But when he got to Tulsa, certain friends he had expected to meet him failed to do so, and he decided to continue his journey. He, therefore, sought and bought from the Pullman conductor the additional reservation to Oklahoma City, paying seventy-five cents and receiving a stub for the same. Shortly after leaving Tulsa, he entered the diner to eat, but was refused service. He was asked if he were a Negro, a fact which he admitted. Then he was approached by the Pullman conductor in his berth and asked the same question. Upon his admission, he was informed that he would have to give up the berth. His luggage was transported to a Jim Crow coach, and he was forced to go with it. Evans intends to sue the railway and the Pullman company.

# HARRY D. EVANS TO SUE PULLMAN CAR CO.

## C. J. Walker Official Put Out of Berth y R. R.

8-23-30

Oklahoma City, Okla., Aug. 21.—Harry D. Evans, advertising manager fo the Mme. C. J. Walker Manufactuing Co, was forced to lleave his Pullman berth and accept a seat in a separate Jim Crow coach last Monday while traveling between Tulsa and Oklahoma City. Evans had purchased a ticket from Indianapolis to Oklahoma City, with Pullman resercation to Tulsa. But when he got to Tulsa, certain friends he had evpected to meet him failed to do so, and he decided to continue his( journey. He, therefore, sought and bought from the Pullman conductor Oklahoma City, paying 75 cts. and receiving a stub for the same. Shortly after leaving Tulsa, he entered the diner to eat, but was refused service. He was asked if he were a Negro, a fact which he admitted. Then he was approached by the Pullman conductor in his berth and asked the same question. Uupon his admission, he was informed that he would have to give up the berth. His luggage was transported to a Jim Crow coach, and he was forced to go with it. Evans intends to sue the railwav and the Pullman Company.

Jim Crow Car Laws - 1930

Pennsylvania

## WATCH THE BUSES

IT will pay our people to give close attention to the motor coaches and the treatment accorded to Negroes by the people who own and operate them. The buses are increasingly superseding the railroads as means of transportation and more and more Negroes are using them, largely because fares are cheaper.

It has come to our attention that despite the non-existence of jim crow transportation laws in certain so-called border states and states even farther North, there is a growing tendency to insist on Negro passengers riding on the rear seats. While this is legal in the South, it is not legal in the North, and Negroes must be careful not to set precedents by permitting themselves to be thrust into the back seats just because they are Negroes. 9-13-30 Pittsburgh, Pa.

Only a few days ago a Negro college professor was beaten and kicked off a bus in unspeakable Indiana because he insisted on sitting in a front seat, while several Negroes report that even in New York they have been asked to take rear seats. We must put a stop to this before it goes too far, and the most effective means of doing so is to make a test case of every such incident. We must not submit to these encroachments upon our rights. If Negroes can be segregated on buses in the North, then they can be segregated on trains, street cars, in railroad stations and every public place. It is well to remember that an ounce of prevention is worth a pound of cure.

Jim Crow Car Laws - 1930

Tennessee

# COURT FINES SECOND 'JIM CROW' VIOLATOR

Commercial Appeal
2-21-30

## Man Pays $10 For Riding In Wrong Section of Car.

Memphis, Tenn.

For the second time in two days. Judge Fitzhugh yesterday promised strict enforcement of Jim Crow laws in so far as street car traffic in Memphis is concerned, and backed up his promise by assessing a fine of $10 against J. E. McKinney. 1245 Madison Avenue, charged with riding in the wrong section of a car.

"I said yesterday that I would make a practice of fining negroes for getting out of their place on cars, and that the law works both ways. I mean it. Anybody brought in here, white or negro, and convicted of violating this law, will be fined $10," the judge said.

McKinney told the court he went to the rear of the car to smokea cigarette.

"All the more reason why you should be fined. It is against the law to smoke in cars also, but I'm going to let you off on that charge."

# Negro Sues Bus Firm For Ban as Passenger

Constitution

4-10-34

Atlanta

PITTSBURGH, April 10.—(AP)—Frank Hosley, Pittsburgh negro, who charged that refusal of a bus agent in Chattanooga, Tenn., to permit him to ride to Atlanta, Ga., resulted in Hosley's failure to reach a brother at Fort Valley, Ga., before he was dead and buried, today filed suit against the Greyhound Lines, Inc., for $25,000.

Hosley charged that the agent at Chattanooga told him the company "did not allow colored folks to ride on their bus." He claimed he was forced to remain in Chattanooga for 14 days because he had no money to secure transportation by another method.

# SUES BUS CO. FOR $25,000

## Lays Grievances to Restrictions by Greyhound Line in South

Cgnt
4/25/30
St. Louis Mo.

WASHINGTON, Apr. 24.—Eyes of Charging that the refusal of a bus agent of the Greyhound Lines, Inc., in Chattanooga, Tennessee to permit him to ride to Atlanta resulted in his failure to reach a brother at Fort Valley, Georgia, before he was dead and buried, Frank Hosley of Pittsburgh, filed suit for $25,000 against the bus company on April 21.

Hosley charges in his suit that the agent at Chattanooga told him "colored folks were not allowed to ride on the company's bus."

He said that when he received word that his brother was dying in Georgia, he bought a bus ticket from Pittsburgh to Atlanta. He claimed he was forced to remain in Chattanooga 14 days because he had no money to buy other transportation.

Jim Crow Car Laws - 1930

Virginia.

# MR. JIM CROW IS EXPENSIVE

Norfolk Journal & Guide
7-5-30

NEW YORK CITY — The high cost of Jim Crow accommodations has been driven home to officials of the Pennsylvania Railroad. An excursion from here to Richmond, Va., last week comprising about 15 cars had ninety per cent of colored passengers. Going down the passengers were well mixed. Returning, however, the white passengers given a separate train of five cars and rode back to New York in comfort while the Negroes were crowded into ten coaches.

Separate passageways for white and colored passengers at the Union Station in Richmond enabled the officials of the railroad to maneuver the complete separation. Both trains pulled into Washington and New York at about the same time.

Anyway, it cost the Pennsylvania Railroad an extra train.